

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                      |   |                 |
|--------------------------------------|---|-----------------|
| PETITION OF AT&T COMMUNICATIONS OF   | ) |                 |
| THE SOUTH CENTRAL STATES, INC. FOR   | ) |                 |
| CONFIDENTIAL TREATMENT OF            | ) | CASE NO. 92-045 |
| INFORMATION FILED IN SUPPORT OF ITS  | ) |                 |
| APPLICATION TO INTRODUCE AT&T PLAN Q | ) |                 |

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed January 3, 1992 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue, cost, and unit volume data contained in the Estimated Revenue Impact on the grounds that disclosure of the information is likely to cause AT&T competitive injury, and it appearing to this Commission as follows:

AT&T seeks to protect as confidential the revenue, cost, and unit volume information contained in the Estimated Revenue Impact relating to its Plan Q Service. AT&T contends that disclosure of the information is likely to cause it competitive injury and is therefore entitled to protection as confidential.

The information sought to be protected is not known outside of AT&T and is not disseminated within AT&T except to those employees who have a legitimate business need to know and act upon the information. AT&T seeks to preserve and protect the confidentiality of the information through all appropriate means.

KRS 61.872(1) requires information filed with the Commission be maintained for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1) which exempts 10 separate categories of information. One such category exempted under Subparagraph (b) of KRS 61.878(1) is certain commercial information confidentially disclosed to the Commission. To qualify for this exemption, it must be established that disclosure of the information is likely to cause substantial competitive harm to the party from whom the information was obtained. To satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

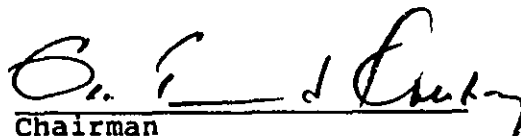
The revenue, cost, and unit volume information contained in AT&T's Estimated Revenue Impact, if publicly disclosed, would provide competitors with valuable pricing and marketing information which they could use in the pricing and marketing of their competitive services. Thus, disclosure of this information is likely to cause AT&T competitive injury and the information is entitled to protection as confidential.

This Commission being otherwise sufficiently advised,

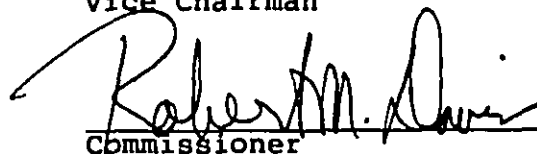
IT IS ORDERED that the revenue, cost, and unit volume data contained in AT&T's Estimated Revenue Impact, which AT&T has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 11th day of February, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director